

RETURN OF SERVICE
UNITED STATES DISTRICT COURT
District of Arizona

Case Number: CV-23-00309-PHX-
JJT

Plaintiff: **Fornix Holdings LLC, et al.,**
vs.

Defendant: **John Doe #1 DBA JUSTSWALLS.COM et al**

For:
David D. Lin
Lewis & Lin, LLC
77 Sands Street
6th Floor
Brooklyn, NY 11201

Received by Oregon Process Service to be served on **Porkbun, LLC, 21370 SW Langer Farms Parkway, Sherwood, OR 97140**.

I, Tor J. East, do hereby affirm that on the **10th day of March, 2023** at **4:40 pm**, I:

Served the above named party after due search, careful inquiry and diligent attempts. I hand delivered a true copy of a **Order Re Telephonic Hearing; Order RE TRO Application; Order Granting TRO; Ex Parte Application for TRO, OTSC for Preliminary Injunction and Order to Allow Alternative Service; Memorandum of Points and Authorities in Support Ex Parte Application for TRO; Declaration in Support Ex Parte Application for TRO; Attorney Declaration in Support Ex Parte Application for TRO; and Verified Complaint**. to the person apparently in charge of the place where the mail agent receives mail for the tenant. The documents were served in accordance with ORCP 7 D (3)(a)(iv) & ORS 646A.340. The documents were left with **Jose Andrade**, the person apparently in charge, and informing said person of the contents thereof. I also left a copy of The Oregon State Statute Rules regarding service at a mail agent. Council on Court Procedures ORCP 7 D & Mail Agent ORS 646A.340 & ORS 646.225

CERTIFICATION OF MAILING

On 3/13/23, I the notary mailed a true copy of the above service documents and a copy of this Affidavit of Service to the above named party, in accordance with state statute.

Description of Person Served: Age: 30, Sex: M, Race/Skin Color: Hispanic, Height: 5'10, Weight: 250, Hair: Black, Glasses: Y

I am a competent person over 18 years of age, a resident of this State and authorized to serve process. I am not a party to nor an officer, director, employee, or attorney for any party. I know that the person, firm or corporation served is the identical one named in the action. I hereby declare that the above statement is true to the best of my knowledge and belief. I understand this is made for use as evidence in court and is subject to penalty for perjury.



Tor J. East
Process Server

Date

Oregon Process Service
Po Box 23938
Eugene, OR 97402
(541) 485-0006

Our Job Serial Number: OSO-2023000541

COUNCIL ON COURT PROCEDURES ORCP 7 D

D(3)(a)(iv) **Tenant of a mail agent.** Upon an individual defendant who is a “tenant” of a “mail agent” within the meaning of ORS 646.221 by delivering a true copy of the summons and the complaint to any person apparently in charge of the place where the mail agent receives mail for the tenant, provided that:

(A) the plaintiff makes a diligent inquiry but cannot find the defendant; and
 (B) the plaintiff, as soon as reasonably possible after delivery, causes a true copy of the summons and the complaint to be mailed by first class mail to the defendant at the address at which the mail agent receives mail for the defendant and to any other mailing address of the defendant then known to the plaintiff, together with a statement of the date, time, and place at which the plaintiff delivered the copy of the summons and the complaint. Service shall be complete on the latest date resulting from the application of subparagraph

MAIL AGENTS ORS 646.221

(1) “Mail agent” means any person, sole proprietorship, partnership, corporation or other entity who owns, manages, rents or operates one or more mailboxes, as defined in this section, for receipt of United States mail or materials received from or delivered by a private express carrier, for any person, sole proprietorship, partnership, corporation or other entity not the mail agent.
 (2) “Mailbox” means any physical location or receptacle where United States mail or materials received from or delivered by a private express carrier are received, stored or sorted, including letter boxes.

(3) “Tenant” means any person, sole proprietorship, partnership, corporation or other entity who contracts with or otherwise causes a mail agent to receive, store, sort, hold or forward any United States mail or materials received from or delivered by any private express carrier on the tenant's behalf. [1991 c.465 s.1]

ORS 646.225 Prohibited conduct; required verifications and notice. (1) A mail agent shall not contract with a tenant to receive United States mail or materials received from or delivered by a private express carrier on the tenant's behalf if the mail agent knows or should know that the tenant has provided a false name, title or address to the mail agent.

(2) Prior to contracting with a tenant to receive United States mail or materials received from or delivered by a private express carrier on the tenant's behalf, the mail agent shall independently verify:

- (a) The identity of the tenant.
- (b) The residence address of the tenant if the tenant is an individual or the business address of the tenant if the tenant is a business entity.
- (c) In the case of a corporation, that the corporation is authorized to do business in this state.
- (d) In the case of an entity using an assumed business name, that the name has been registered for use in the State of Oregon.

(3) The mail agent shall accept mail or materials received from or delivered by a private express carrier on behalf of the tenant only if the mail is, or the materials received from or delivered by a private express carrier are addressed to the tenant. The mail agent shall not deposit United States mail or materials received from or delivered by a private express carrier in any mailbox unless the addressee has rented a mailbox from the mail agent.

(4) Whenever a mail agent has reason to believe that a tenant is using a mailbox to escape identification, the mail agent shall immediately notify the Attorney General and the United States Postal Inspector. [1991 c.465 s.2]